

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC., NEST LABS, INC., and DROPCAM, INC.,
Petitioner,

v.

E. DIGITAL CORPORATION,
Patent Owner.

Case IPR2015-01470 (Patent 8,311,522)
Case IPR2015-01471 (Patent 8,315,618)
Case IPR2015-01472 (Patent 8,306,514)
Case IPR2015-01473 (Patent 8,311,523)
Case IPR2015-01474 (Patent 8,311,524)
Case IPR2015-01475 (Patent 8,315,619)¹

Before KEVIN F. TURNER, HYUN J. JUNG, and
BARBARA A. PARVIS, *Administrative Patent Judges*.

PARVIS, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

¹ This Order sets forth the same information for all of the above-identified cases. Therefore, we issue one Order to be entered in all cases. The parties, however, are not authorized to use this style of heading in subsequent papers.

On December 4, 2015, Patent Owner contacted Board personnel seeking guidance on the procedure for filing a claim construction Order that was issued by a District Court (“District Court Order”). On December 7, 2015, a telephone conference call was held between respective counsel for the parties and Judges Turner, Jung, and Parvis. The parties indicated that on November 30, 2015, an Order regarding claim construction was issued by the United States District Court for the Northern District of California, which provides interpretation of terms in each of the patents challenged in IPR2015-01470 through -01475 (“the related IPR proceedings”). Patent Owner seeks to file the District Court Order in each of the related IPR proceedings. Patent Owner further indicated that it does not request filing of other arguments or analysis at this time. Petitioner indicated that it does not oppose Patent Owner’s request.

We reminded the parties that a full statement of the reasons for relief requested, including a detailed explanation of the significance of any evidence, must be included in the Petition (37 C.F.R. § 42.22) and any opposition or reply must comply with these same content requirements (37 C.F.R. § 42.23). Filing the District Court Order is not a substitution for providing, in a petition, opposition, or reply, reasons that particular relief is sought.²

During the call, we authorized Patent Owner to file the District Court Order in each of the related IPR proceedings using the next of Patent

² We also reminded the parties of the guidance regarding e-mails to Board personnel provided on the Board’s website. *See* Technical issue 3 on the Board’s website (<http://www.uspto.gov/ip/boards/bpai/prps.jsp>).

Owner's exhibit numbers. Patent Owner filed the District Court Order as Exhibit 2003 in each of the related IPR proceedings on December 7, 2015.

ORDER

For the foregoing reasons, it is:

ORDERED that Patent Owner is authorized to file the District Court Order in each of IPR2015-01470 through IPR2015-01475, and each is considered to be part of the record in each proceeding without any further action by Patent Owner; and

FURTHER ORDERED that no additional motions or supplemental papers are authorized at this time.

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